

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE:

CASE NO. 24-11056-smr
CHAPTER 13

Todd Carlton Harris
dba Todd C. Harris, DDS, PC
Debtor.

**OBJECTION TO CONFIRMATION OF
DEBTOR'S FIFTH AMENDED CHAPTER 13 PLAN**
[Ref. Doc. #45]

TO THE HONORABLE JUDGE OF SAID COURT:

Towd Point Mortgage Trust 2021-SJ2, U.S. Bank National Association, as Indenture Trustee, objects to confirmation of Debtor's Fifth Amended Chapter 13 Plan, and states as follows:

1. On August 30, 2024, Todd Carlton Harris ("Debtor") filed a voluntary petition commencing this proceeding under Chapter 13 of the Bankruptcy Code.
2. Secured Creditor holds an interest in the real property located 2627 Exposition Boulevard Austin, TX 78703.
3. The Debtor filed a Fifth Amended Chapter 13 Plan on May 27, 2025 (the "Plan"). [Doc. #45]
4. The Plan includes direct payments toward the Note and Mortgage with Secured Creditor; however, Secured Creditor's proof of claim (1-1) evidences pre-petition arrearage due is \$1,702.27, whereas the Plan fails to propose treatment for any arrears.
5. The Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$1,702.27 as the pre-petition arrearage over the life of the plan.

WHEREFORE, PREMISES CONSIDERED, Secured Creditor respectfully requests

that the Court sustain the objections stated herein, deny confirmation of Debtor's Amended Plan, and grant Secured Creditor such other and further relief as the Court deems just and proper.

Dated: June 19, 2025

Respectfully submitted by:

/s/ Anthony Santini
Anthony Santini
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Partners, PLLC**
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2021-SJ2, U.S. Bank National Association, as
Indenture Trustee**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 19, 2025, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and caused a true and correct copy to be served via CM/ECF or United States Mail to the following parties:

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By: /s/ Anthony Santini